



CANNON BUILDING  
861 SILVER LAKE BLVD., SUITE 203  
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

TELEPHONE: (302) 744-4500  
FAX: (302) 739-2711  
WEBSITE: [WWW.DPR.DELAWARE.GOV](http://WWW.DPR.DELAWARE.GOV)

<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF PLUMBING &amp; HVACR EXAMINERS</b>
<b>MEETING DATE AND TIME:</b>	<b>Tuesday, July 10, 2012, at 8:30 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , second floor of the Cannon
<b>MINUTES APPROVED:</b>	September 11, 2012

**MEMBERS PRESENT**

Dean Sherman, Professional Member, President  
Charles Robbins, Professional Member, Vice President  
Carol Guilbert, Public Member, Secretary  
Frank Beebe, Professional Member  
James Anderson, Public Member  
John Brady, Public Member

**MEMBERS ABSENT**

Jerome Todd, Professional Member  
Gerard Pepeta, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

James Collins, Director  
Danny Stevenson, Deputy Attorney General  
Shelly Ide, Administrative Specialist II

**OTHERS PRESENT**

George Haggerty, NCC Land Use  
Chuck Davidson, DPH  
James Permelia, NCC

**CALL TO ORDER**

Mr. Sherman called the meeting to order at 9:03am

## **REVIEW OF MINUTES**

A motion was made by Ms. Guilbert, seconded by Mr. Beebe, to approve the June 12, 2012, meeting minutes, as amended to reflect that Mr. Sherman will be reviewing Florida's requirements, & Mr. Robbins will be reviewing New Jersey's. The motion carried unanimously.

A motion was made by Mr. Brady, seconded by Ms. Guilbert, to approve the June 28, 2012, meeting minutes. The motion carried unanimously.

## **UNFINISHED BUSINESS**

### **Review of Addendums**

A motion was made by Mr. Robbins, seconded by Mr. Beebe to accept the New Castle County Addendums to the International Fuel Gas & Mechanical Codes, as modified. The modifications are to change all 2009 dates to 2012 & to delete Section FG404.910 & FG404.910.1. The motion carried unanimously.

### **Update on Reviews of Other States**

Based on observation by Mr. Sherman, Mr. Brady made a motion, seconded by Mr. Beebe, to accept that South Carolina is not substantially similar in HVACR or Plumbing. The motion carried unanimously.

Based on observation by Mr. Brady, Mr. Brady made a motion, seconded by Mr. Robbins, to accept that Washington, DC is not substantially similar in HVACR or Plumbing. The motion carried unanimously.

Florida and New Jersey are still being reviewed and will remain on the agenda for August.

### **Re-review of Applications**

A motion was made by Mr. Robbins, seconded by Mr. Brady, to approve Philip Aufiero to take the Master HVACR Restricted By-Pass Exam. The motion carried unanimously.

## **NEW BUSINESS**

### **Review of Examination Applications**

A motion was made by Mr. Robbins, seconded by Mr. Anderson, to approve the Master Plumber applications of Matthew Scheer, Knute Eriksen, & Gene Harman. The motion carried unanimously.

A motion was made by Mr. Robbins, seconded by Mr. Anderson, to approve the Master HVACR applications of Brennan Tomko, Paul LaManna, Jr., & Scott Boulden. The motion carried unanimously.

#### Review of Reciprocity Applications

A motion was made by Mr. Beebe, seconded by Ms. Guilbert, to approve the applications of Willie Jenkins for Master HVACR, & Hubnath Sookram to take the exams for Master Plumber & Master HVACR Restricted. The motion carried unanimously.

#### Ratification of Applications

A motion was made by Mr. Beebe, seconded by Mr. Anderson, to ratify the Master HVACR Restricted applications of Keith Wivell & Frank Bradley. The motion carried unanimously.

A motion was made by Mr. Beebe, seconded by Mr. Anderson, to ratify the Master HVACR application of Philip Rittersbacher. The motion carried unanimously.

A motion was made by Mr. Beebe, seconded by Mr. Anderson, to ratify the Temporary Master HVACR application of Scott Bryan. The motion carried unanimously.

#### Complaint Status

34-07-10	Assigned to Hearing Officer
34-09-10	Assigned to Hearing Officer
34-01-11	Open
34-04-11	Open
34-05-11	Assigned to Hearing Officer
34-01-12	Open
34-02-12	Open
34-03-12	Open
34-04-12	Open
34-05-12	Assigned to Hearing Officer
34-06-12	Open
34-07-12	Open

#### **CORRESPONDENCE**

None

#### **OTHER BUSINESS BEFORE THE BOARD** (for discussion only)

##### Implementation of House Bill 238

Mr. Stevenson informed the Board about HB 238 being signed whereas this Bill simplifies the process for a military spouse applying for reinstatement of a professional license or permit with the Division of Professional Regulation within 2 years of the license or permit lapsing. It does not apply to a revoked or suspended license or permit unless the license or permit was reinstated prior to its lapse. In addition, the Bill provides for a military spouse to apply for a six-month temporary license or permit while the application for endorsement or reciprocity is being processed to verify good standing and to perform the criminal background check.

#### Discussion of Executive Order Number 36

Mr. Stevenson informed the Board about Executive Order Number 36, whereas, each Executive Branch Agency shall solicit input from the business community, non-profit community and the general public to identify regulations adopted three years ago or more to be reviewed by the Agency for possible modification or elimination (the "Public Input Period"). Each Agency shall conduct at least one public hearing in each county in accordance with the APA, and shall also accept written submissions.

#### Fee Schedule Changes

Ms. Ide notified the Board that the new fee schedule was in place & the increases are minimal.

#### Senate Bill 189

Mr. Collins expressed gratitude to Mr. Sherman for being so helpful & cooperative in regards to questions about Senate Bill 189, which was to eliminate the By-Pass exams. Towards the end of the legislative session, there was opposition whereas *since others had to go through the process of taking the exam, others should have to do so also*. There was also union opposition.

In moving forward, it was recommended that the Board reviews the content of the By-Pass Exams from each proctor, in order to assure it is in alignment with the job responsibilities. Mr. Robbins mentioned that there are other programs, such as NCCER. NCCER is a not-for-profit education foundation created to develop standardized construction and maintenance curricula and assessments with portable, industry-recognized credentials. Ms. Ide will work with Mr. Sherman & Mr. Robbins to obtain additional information on NCCER & to contact the Delaware Vo-Tech schools. She will invite each school to the September meeting in order to have the Board review the test materials.

#### House Bill 180

Mr. Collins also gave a simplified explanation of how House Bill 180 pertains to HVACR. If there's an HVACR piece that needs to be repaired or replaced the HVACR licensees are able to complete that work, as usual. However, an electrical license is needed when there is currently no electrical wiring in place & if the electrical wiring/capacity is being upgraded. Otherwise, HVAC is exempted in the electrical code because it already has its own statute or laws, rules & regulations.

#### **NEXT SCHEDULED MEETING**

There is no meeting in August. The next meeting will be held on September 11, 2012 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**ADJOURNMENT**

A motion was made by Mr. Beebe, seconded by Ms. Guilbert, to adjourn the meeting. The motion carried unanimously. The meeting adjourned at 10:36a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Ide". The signature is stylized with a large, sweeping "S" and a distinct "Ide" following it.

Shelly Ide  
Administrative Specialist II